

SUMMARY OF MAJOR CONCERNS OF CALFED AGENCIES ON ADMINISTRATIVE DRAFT PROGRAMMATIC EIS/EIR

Federal Agencies

USBR

- Tone - appears to be "hard sell" of Alt. III in the environmental document;
- Agencies need to review Phase II and Tech. Appendices before approving release of document;
- Inconsistent/Unbalanced articulation of potential significant impacts;
- Report Organization - not enough substance; need impact detailed summary information right up front in the document;
- Too much reliance on (reference to) the Phase II report which nobody has seen yet;
- Upper Watersheds - inadequate discussion of environmental setting for and impacts on watersheds;
- No articulation of "unknowns" - need to clearly state what we don't know so the public understands what's not complete and what types of things will be done between draft and final to resolve the unfinished business;
- Acknowledge that we need merge our "resources" and "water supply" approaches;
- Analytical Issues:
 - Modeling
 - Common Programs-- we assume that goals of common programs (which are still largely policy statements) will be met but . . . **no incorporation of common program effects or results in modeling** of (or assumptions that feed into modeling) storage and conveyance options
 - Hydrodynamic Model needs validation
 - Merge of CVP/SWP Power modeling output is not acceptable
 - None of Hydro modeling reflects geometrical changes in the delta that would occur with Alt.s II and III
 - CVP reservoir flood zone/operation and temperature control reservation

- assumptions appear to not be in the DWRSIM modeling
- b(2) actions may change from what's been modeled to date
- Salinity --- **modeling analysis doesn't reflect potential changes in delta geometry** (may have a substantial impact on requirements to meet Suisun Marsh standards)
- **Need to model alternative scenarios with potential changes in SWRCB water quality standards**

ERP

- Too much dependency on **uncertain water sources for ERP flows**;
- Impact Assessment - **Remove impact summary tables** or revise to really balance evaluation -- many of the determinations are not backed by adequate analysis; and
- **Need to come to consensus among agencies on the definition of "adaptive mgmt."**

EPA

- Overall Problems: Not enough information about the benefits and impacts of Programs (particularly the common programs);
- Need upfront explanations of the additional work that needs to be done on things like water transfers, econ. analysis, ERP refinement;
- Appears that modeling information has not been updated in the Admin. Draft (how can we best deal with this gap and inconsistencies in the text?);
- Watershed Management Strategy — discussion about relationship between proposed structure and institutional options is unclear;
- Need to better highlight benefits of ag. land conversion (i.e., water quality benefits);
- Export water quality discussion doesn't come through clearly in the document; and
- Water Use Efficiency Program — To what degree are unresolved issues flagged or discussed in document?

USFWS

- There is a **potential masking of actual impacts due to assumptions used in the no-action description**. Specifically, the assumption that the Program will meet the water demand in 2020. This skews the analysis for the alternatives.
- **Does not appear to be sufficient data or information to provide the level of assurance the Program wants**. May not be enough information to adequately discriminate between alternatives. Seems to be slight differences.

(This may not be all . . .)

NRCS

NRCS had no major comments.

USFS

USFS "probably" won't have any major red flags.

USGS

No red flag issues at this time. As a scientific organization, USGS would not probably raise significant policy issues only technical issues that could be addressed during the public comment period.

Technical comments were not possible until appropriate appendices were available for review.

NMFS

No comments received as of Friday, 3 pm

USCOE

No comments received as of Friday, 3 pm

State Agencies

Resources Agency

No major red flags.

DFG

- Concerned that the AD **does not adequately portray the Existing Condition** as it relates to the No-Action Alternative and consequently the Program Alternatives. In most cases the No-Action is portrayed as the equivalent to Existing Conditions when information is presented that does not support that conclusion (e.g. changes in exports, acres of ag, etc.). The result may be that the AD may be deficient from a CEQA perspective;
- The AD mis-characterizes or provides **confusing impact presentations that are not consistent with the summary tables** provided or with what is reasonably expected for a particular alternative configuration. As currently drafted the AD may not be very useful to the public or the decision makers;
- **Service area impacts are inappropriately deferred** to project specific environmental documentation. The AD should explain that impacts will result in service area impacts and they should be addressed now with a suite of proposed mitigation measures;
- The AD should **include a chapter on state and local laws, policies and plans** and how consistent the CALFED alternatives and their components may or may not be;
- **Ag economic impacts are discussed twice** (regional and again under ag lands). This redundancy should be deleted. Also, impacts are discussed in two different ways with regards to significance and one of the methods used may not be consistent with CEQA or NEPA;
- **Impacts to ag lands should be described as significant unavoidable impacts;** and
- Specific reference to **using public funds to pay for out-of-valley disposal of high salinity selenium contaminated drain water** should be deleted as a specific mitigation measure.

DWR

- **Overall presentation.**

More thought should be given to how the layperson is going to view this document and, if he or she decides to delve into it, how to guide them through it. Recommendations for improvements to the presentation are identified in DWR's comment table with a "P". The significant ones related to the public viewer follow.

a. Right at the beginning of the document, the overall vision should be presented that illustrates how storage, conveyance, the ERP, water quality, water use efficiency, levee stability, and all the other components are to fit into the solution. It would be inspiring, not gushy, primarily because of the scope and sincerity of the undertaking. This discussion would be followed by a simple statement of the purpose of the Programmatic EIR/S, mention that the reader could skip to the Phase II chapter to read about the final selection process, that a guide to the document is included, and mention other documents that may be of more interest to them (along with a phone number for obtaining them).

b. Address issues that we know are out there directly in the appropriate section. The issue of the need for an independent implementation entity for assurances, or ecosystem restoration, or the entire program are examples. Other examples are issues associated with third party impacts, common Delta pool, and the water use efficiency program.

- **Adaptive Management.**

The text defining or referencing Adaptive Management has gotten mixed reviews from DWR staff. I think this is because it is not clearly and consistently presented in the document. Adaptive management is an important concept to the Program and mechanism for implementing the components of the Program. The concept can easily be degraded to an excuse for misguided efforts, so careful consideration needs to be given to how adaptive management is presented. Relevant comments contained in DWR's comment table follow.

a. The discussion on page 1-3 isn't clear. The discussion in section 1.5.4 is pretty good but it doesn't address the issue of what entity (ies) are in charge. The text should address this issue directly, not presenting an answer but capturing the issue correctly. Examples of how adaptive management would work and at what level it could be done in the CALFED long-term solution structure would be

helpful.

b. The framework can be developed as Phase III proceeds not necessarily during the transition between Phases II and III. (see page 1-3)

c. Any reference to adaptive management needs to be very consistent with the description as presented in Chpt. 1. On page 2-10, Levee program, adaptive management is referred to in the development of best management practices. Some of the levee program appears to be research efforts (it better be research, otherwise CALFED is proposing extensive land use changes in the Delta!). The discussion on page 2-10 should discuss the process for testing and developing these practices so the reader gets a sense of the scale of the endeavors and how research fits into an adaptive management process.

• Cumulative Impacts

This section is going to get a lot of public attention and project proponent attention. The discussion of these projects' impacts needs to be as objective as possible. CALFED agency staff familiar with these projects should review and possibly rewrite the appropriate section of text to make sure it is correct.

CALFED staff should evaluate the rewritten chapter in its entirety to assure it presents the information objectively. Also, some projects are not included in the draft. The criteria for the selection of projects should be included. Without the benefit of knowing the criteria for selecting projects, Rich Breuer has listed some other projects that should be considered for inclusion. They follow.

1. City of Tracy - Wastewater -Currently discharges to Old River. They forecast an increased discharge from 9 to 15 mgd in the near future, with expansion to 32.5 mgd projected for year 2012. Contact: Lydia Holmes -Carollo Engineers (510) 932-1710 . City of Tracy Contact - Steve Bayley
2. Mountain House Project - same area as City of Tracy's discharge. Large housing development, marina, wastewater treatment plant. Contact Kitty Walker Senior Planning -San Joaquin County Community Development Department (209) 468-3144
3. Discovery Bay -Byron Tract -Recently switched over to UVA treatment of wastewater. Planned future expansion of treatment plant.
4. Gold Rush City - City Of Lathrop - Large planned community, marinas, golf courses, and amusement park. Adjacent to the San Joaquin River.
5. City of Stockton. - Stockton plans to divert water for municipal use and potentially may increase wastewater discharge. No contact person

known.

6. Barker Slough Watershed Management Project (Solano County Water Agency)

7. City of Tracy Westside Channel Outfall System. Planned storage and discharge of storm water runoff to Old River.

- **Any information related to the ISDP.**

As the State lead agency for ISDP, DWR is particularly sensitive about the information presented about the ISDP. Staff review has identified some errors in the document related to the ISDP. They are included in DWR's comment table. We need to check to see if the information in the PEIS/R regarding the ISDP is consistent with the ISDP public draft EIR/S. We would like to continue to work with the CALFED staff to address some of our concerns about the accuracy of the info on the ISDP and to examine more closely what ISDP facilities are included in the 12 configurations.

- **Impact analysis -- consistency in terms.**

The environmental impact analysis should be consistent and better explained. The impact analyses sections use terms like "negligible," "moderate adverse impact" and "potentially adverse impacts" *(Text was cut off here)*

SWRCB

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Dept. of Food & Ag.

- **The current organization of the document makes an evaluation of agricultural impacts difficult since land use issues and water use issues are located in different places in the document.** The document doesn't give the reader a complete picture of potential ag impacts in a coherent fashion.
- The impacts presented in Chapter 5 are presented more as a process or case study than actual potential impacts.
- **Potential mitigation is not adequately discussed.**
- **It may be a better strategy to postpone the release of the PEIS/R than**

to be required to re-circulate later. The Policy Group needs to determine what will be the majority approval for release of the document. Who has veto power, etc.?